REGULATORY PROGRAM

One Team: Relevant, Ready, Responsive, Reliable

Types of Permits - Timelines

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Types of Permits

- **General Permits Include:**
  - Regional
  - Programmatic
  - Nationwide

- **Standard Permits Include:**
  - Letter of Permission
  - Individual
  - Provisional
  - Emergency
  - After the Fact

General Permits (GP's)

Types of GP's:

- **Regional**
- **Programmatic**
- **Nationwide**

- **Permit that most minor activities are authorized under.**
- **Currently AL Power is administering our GP Program on AL Power Lakes.**
- **GP for Lakes/Resource Offices forthcoming.**

Nationwide Permits (NWP) (33CFR 330.1)

- May authorize minor filling, roads, utility lines, maintenance of existing structures and other minor activities.
- Some NWPs for fill require mitigation; greater than a 1/10th of an acre.

Standard Permit (SP)

Types of SP's:

- **Letter of Permission**
- **Individual**
- **Provisional**
- **Emergency**
- **After the Fact**

- **Permit for activities that do not fit under a GP or may cause more than minimal adverse effects to the aquatic environment**

- **Exceed terms and conditions of GP**

Letters of Permission

- Typically used to authorize activities that may not fit the General Permit, but still have relatively minor impacts to waters and no appreciable opposition.
  - small marinas
  - long bulkheads
  - minor dredging
- May require agency review by state and federal resource agencies.
- Separate authorization from AL Power, TVA, USACE and the State may be required.

Individual Permit

- Activities that do not fit a NWP, GP or qualify for an LOP is processed as an IP.
- Requires Public Notice and review by state and federal resource agencies.
- Longer, more complicated and detailed process.
- Most require mitigation.

Approximate Timelines

- Regional – 30-45 days
- Programmatic – 45 days
- Nationwide – 45 days
- Letter of Permission – 30 days
- Provisional – 45 days
- Emergency - 24-72 hours

After the Fact

- NWP within approximately 45 days
- IP 3-6 months

Procedures

1. Pre-application consultation (optional, but highly encouraged)
2. Complete Application submitted
3. File number assigned (ORM) and PM assigned.
4. Acknowledgement letter may be sent to applicant
5. File reviewed for completeness within 10 days of receipt and determination of applicable permit/JD procedure.
6. Request for additional information if necessary
7. Public notice issued (within 15 days of completed application); 15-30 day comment period
8. Public notice is reviewed by Corps and “public, groups, agencies”
9. Corps considers all comments & consults with other agencies if appropriate
10. Applicant could be asked to provide additional information
11. Public hearing held, if requested (can be denied)
12. Corps makes decision and writes decision document
13. Permit issued or denied (applicant advised of reason)
14. Administrative appeal process (optional)